

RECEIVED
CENTRAL FAX CENTER

NOV 04 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Stephen J. Brown	Confirmation No.:	3207
Serial No.:	09/658,209	Art Unit:	2157
Filed:	September 8, 2000	Examiner:	Salad, A.
For:	NETWORKED SYSTEM FOR INTERACTIVE COMMUNICATION AND REMOTE MONITORING OF INDIVIDUALS	Attorney Docket No.:	062788-5093-US

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Health Hero Network, Inc.**, the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded on **October 24, 2000**, at reel 011288 frame 0233.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,997,476 which issued on December 7, 1999 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,997,476.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,997,476 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Health Hero Network, Inc.**

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

1-PA/3521716.1

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 3 day of November, 2004.

By: 

Stephen J. Brown
President & Chief Executive Officer
Health Hero Network, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

Application of: Stephen J. Brown

Confirmation No.: 3207

NOV 04 2004

Serial No.: 09/658,209

Art Unit: 2157

Filed: September 8, 2000

Examiner: Salad, A.

For: NETWORKED SYSTEM FOR
INTERACTIVE COMMUNICATION AND
REMOTE MONITORING OF
INDIVIDUALS

Attorney Docket No.: 062788-5093-US

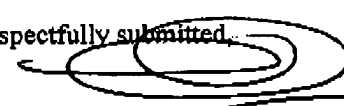
TERMINAL DISCLAIMER FEE TRANSMITTALCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the Terminal Disclaimer Fee of \$110.00 and any other required fees or credit any overpayments to Morgan, Lewis & Bockius LLP's deposit account no. 50-0310 (order no. 062788-5093-US). A copy of this sheet is enclosed.

Date:

Nov 4, 04

Respectfully submitted,


Craig P. Opperman
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306
(650) 843-400037,078
(Reg. No.)